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Chairman: Mr. CISSÉ (Senegal)

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The meeting was called to order at 3.20 p.m.

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(d) COMPREHENSIVE IMPLEMENTATION OF AND FOLLOW-UP TO THE VIENNA DECLARATION AND PROGRAMME OF ACTION (continued) (A/C.3/49/5, A/C.3/49/8, A/C.3/49/10)

1. Mr. MARUYAMA (Japan) said that the Japanese delegation was glad that the World Conference on Human Rights, held in Vienna in 1993, had resulted in the establishment of the post of High Commissioner for Human Rights and, in the same spirit, it welcomed the efforts made by the Chairman of the Working Group of the Third Committee to ensure that the Group fulfilled its second mandate, namely to adapt the United Nations human rights machinery to the current and future needs in the promotion and protection of human rights, in particular by improving the coordination of its work and its effectiveness.

2. The Japanese delegation had listened with keen interest to the very comprehensive statement made recently by the High Commissioner and highly appreciated his efforts to discharge his mandate. It particularly commended the High Commissioner for visiting Rwanda as soon as he had become aware of the crisis there, for it was because of his quick action in particular that some 60 field officers had been swiftly dispatched to monitor the human rights situation in Rwanda. The deployment of those staff members could help to solve the problem of Rwanda and thereby stabilize the situation in the region, for violations of human rights and humanitarian law in Rwanda were one of the main reasons for the outpouring of refugees to neighbouring countries and one of the principal obstacles to any voluntary repatriation programme. The Japanese delegation assured the High Commissioner of its full support and looked forward to the report which he would make once the operation was completed, as the

experience gained in Rwanda could help the international community to cope with similar situations in the future.

3. The responsibility for ensuring that the right to development was respected rested with Governments, and therefore international cooperation in the exercise of that right should only support the efforts made by Governments. The Japanese delegation was following the deliberations of the Working Group on the issue very carefully. Furthermore, if the High Commissioner was to be able to pursue his activities, the international community must provide him with all the funding and personnel which he needed. The Government of Japan would continue to provide all possible support to the High Commissioner in his work.

4. Japan attached special importance to the coordination of United Nations human rights activities since it was increasingly apparent that such coordination was essential to their efficiency, as demonstrated by the establishment of the human rights protection component of the United Nations Transitional Authority in Cambodia (UNTAC) and the Commission of Experts on the situation in Rwanda established by Security Council resolution 935 (1994). The organs of the United Nations system must intensify their efforts and increase their cooperation in order to ensure the success of human rights activities.

5. According to the Charter of the United Nations and the Vienna Declaration and Programme of Action, every Member State had the obligation not only to protect and promote the human rights of its citizens but also to concern itself about the grave violations of human rights in other countries. Therefore, the intervention of a State in the affairs of another State in respect of human rights should not be regarded as interference in the domestic affairs of that State. Japan would continue to follow closely the situation of human rights in particular in Afghanistan, Iran, Iraq, Cuba, Sudan, Rwanda, Myanmar and the former Yugoslavia and it would acknowledge any progress which those countries were able to make.

6. Japan was firmly convinced that the use of special rapporteurs or independent experts was the best means of verifying allegations of human rights violations in a country. However, the examination of such human rights situations must not be used for political purposes since that did not contribute to remedying the situation. What was most important when resolutions were adopted on a given human rights situation was, firstly, that they should accurately reflect the situation and, secondly, that they should acknowledge the efforts made by the Government concerned to improve the situation and thereby encourage it to further efforts.

7. Japan appreciated the role played by the High Commissioner and the Centre for Human Rights in providing advisory services and technical and financial assistance at the request of Governments and the role played by regional human rights machinery in supporting human rights activities and programmes. It was particularly glad that many countries had already created national institutions for the protection and promotion of human rights, often with the support of the technical assistance programme of the Centre for Human Rights. It pledged its

continued support for the activities of the High Commissioner and the Centre for Human Rights.

8. The Japanese Government remained fully committed to the defence of human rights. It was for that reason that it had adopted in 1992 a charter on official development assistance which stated inter alia that, when envisaging providing assistance to a country, Japan must take care to establish whether the Government of that country was promoting democracy and respect for the fundamental rights of its nationals.

9. Japan paid a tribute to the United Nations, and especially to the Centre for Human Rights, for their human rights work and commended the many non-governmental organizations working for the protection of human rights for their dedication and resolve. It reaffirmed its full support for the United Nations and ensured all other Member States that it was fully prepared to cooperate with them in the defence of fundamental rights and freedoms throughout the world.

10. Mr. MARRERO (United States), referring to agenda item 100 (c), said that it was the obligation of every State Member of the United Nations to enable its nationals to exercise their fundamental rights and that nothing justified a failure to do so since such rights were universal and inalienable. Furthermore, the exercise of such rights was not possible in the absence of political freedom, and their protection required States to adopt democratic practices, practices which must inevitably bring benefits since people who were free to think, exchange ideas and invest their own energies and capital would be able to contribute more to economic and social development than people stunted by repression.

11. The current situation justified some optimism in that regard. In Africa 26 countries had held multiparty elections since 1989, and 12 others would do so within the next two years. In the States of the Community of Independent States and in Central Europe the transition to open political and economic systems had been difficult but was now irreversible. In Latin America, now that democracy had been restored in Haiti, only one country was not yet free. And South Africa, which had long been the bastion of a repressive minority, was now dedicated to the protection of minority rights, freedom of expression and respect for the individual. In Cambodia the new National Assembly was functioning normally and the Government was cooperating with those seeking to monitor the human rights situation. In Haiti the reign of terror was over: the elected representatives of the Haitian people had been restored to power, democratic institutions were beginning to function, and President Aristide had established a tone of reconciliation which was helping to restrain political violence. The United States Government was aware that the United Nations deserved much of the credit for that progress but would like it to do even more to promote democracy; that was why the United States delegation had submitted a draft resolution on the issue.

12. Some Governments continued to suggest that concern for the situation of human rights in their country was illegitimate, interventionist or a political

ploy. Their protests might be cause for concern if they were more credible; however, it was clear that their only purpose was to maintain themselves in positions of power and privilege.

13. In Iraq, Saddam Hussein was attempting to attribute blame for the sanctions imposed on his country to the United Nations and the United States. However, he alone was responsible. Government-sponsored murder and torture were becoming more frequent and brutal. Food and medicine meant for Iraqi civilians were stolen by the regime. Relief shipments to the North had been blocked. In the South, 90 per cent of the marshes had been destroyed and 80 per cent of the region's 250,000 inhabitants had been killed or forced into exile. With regard to that region in particular, his delegation emphatically denied the recent charges by the Iraqi delegation that a United States firm had participated in plans to dry up the marshes, drive out the inhabitants and build roads for military purposes; his delegation took the opportunity to convey to the Special Rapporteur on the situation of human rights in Iraq the assurances of its esteem. Iraq knew what it must do to re-enter the community of civilized nations; Security Council resolution 688 (1991) had provided it with clear indications of that, but it refused to comply. For that reason, his Government continued to support the formation of an international commission to study war crimes, crimes against humanity and possible acts of genocide committed by the Iraqi Government.

14. In Iran, the regime continued to violate human rights systematically and massively. Torture, summary executions, arbitrary detention and violations of civil liberties and religious freedom occurred frequently. The United Nations Special Representative had not been allowed by the Government to return to Iran and the recommendations which the Special Representative had made during his visits in 1990 and 1991 had not been implemented.

15. The United States of America continued to be concerned at violations of human rights in Cuba. The Cuban people were denied the freedoms of association and speech; many of them were detained without cause, and others were behind bars for holding views inimical to the Government. In July, 40 Cubans fleeing their country aboard the tugboat Trece de Marzo had died when their boat had been rammed deliberately by Government vessels. His Government had called for an investigation of that tragedy. Moreover, while the High Commissioner for Human Rights had been allowed to visit Cuba at the beginning of November, the Cuban Government had continued to deny entry to the Special Rapporteur of the Commission on Human Rights. The time had come for genuine economic and political reforms in Cuba.

16. In Sudan, where the situation of human rights was among the worst in the world, international condemnations and recommendations had had no discernible effect. Torture was continuing, political opponents were still being executed and displaced persons were still subjected to forced relocation to Government-chosen areas. While the civil war in southern Sudan could explain some of those abuses, as none of the factions had any respect for the fundamental rights of the Sudanese people, it was not an excuse. Accordingly, his delegation

reaffirmed its full support and esteem for the Special Rapporteur and the reports which he had prepared.

17. The question of human rights in China was the subject of a continuing dialogue between the Chinese Government and his Government. His country welcomed China's recent release of eight prisoners of conscience and was encouraged by China's willingness to grant entry to the United Nations Special Rapporteur on religious intolerance, to hold further talks with the International Committee of the Red Cross (ICRC) and to discuss human rights questions with other States Members of the United Nations. The United States urged China to take further steps to improve the human rights situation in its territory by observing international norms, preserving Tibet's unique cultural, linguistic and religious heritage and releasing persons jailed solely for expressing political beliefs.

18. In Myanmar there was a pervasive atmosphere of fear. Political opponents were prosecuted, civil liberties were severely restricted, the Government continued to have broad recourse to forced labour, and the military continued to act with extreme brutality. Recently, the Government of Myanmar had shown good will by allowing the Office of the United Nations High Commissioner for Refugees (UNHCR) to supervise the repatriation of refugees from Bangladesh. His Government encouraged Myanmar to release political prisoners, including Aung San Suu Kyi, winner of the Nobel Prize, to allow ICRC to visit prisoners and to carry out more open and humane policies.

19. In Bosnia, the Government of an internationally recognized multi-ethnic State remained under attack from Serbian separatists. While the Bosnians had committed human rights violations, they were minor in comparison with those committed by the Serbs and the Bosnian Serbs with the aim of expelling the non-Serb populations of the territories under their control: acts of genocide, torture, indiscriminate bombing, fire, rape, castration, etc.

20. In Rwanda, the new Government was struggling to rebuild a society torn apart by one of the most brutal conflicts of recent times. From April until early summer, extremist Hutu militiamen had conducted a ruthless campaign of murder, torture and terror against the Tutsi minority and non-collaborating Hutus. Hundreds of thousands of men, women and children had been bludgeoned or shot to death. Throughout that period, the Government radio station had continually incited genocide and spread terror. Hutu extremists were now in refugee camps in countries adjacent to Rwanda, where they were still terrorizing their Tutsi compatriots and pilfering relief supplies. The new Government advocated national reconciliation and had pledged to cooperate with international human rights organizations. United Nations monitors had been deployed in the country. While the reports that refugees returning to Rwanda had been massacred by forces sympathetic to the Government must be taken seriously, there was no evidence to date that officials of the new Government had been involved in such crimes.

21. The United States Government strongly supported the United Nations decision to establish war crimes tribunals for the former Yugoslavia and for Rwanda

because it believed that the judgements which would be rendered by those tribunals might deter crime and would promote national reconciliation. Moreover, his Government attached great importance to the work of the special rapporteurs of the Commission on Human Rights, and believed that, in most cases, the rapporteurs were very effective in the performance of their mandates. For that reason, his Government would continue to protect and strengthen the ability of the rapporteurs to do their work, and would do everything in its power to resist efforts to weaken or destroy the system of rapporteurs.

22. Twice in the twentieth century, nationalist excess and the hatreds which inspired it had unleashed a global war. Peace and human rights were now threatened by intolerance and ethnic violence. The conflicts which were tearing the world apart were not between the East and the West, the North and the South or the right and the left, but between those ensnared by the hatreds of the past and those striving to build the future. His Government, which was concerned with ensuring a future for the generations to come, called upon all Member States to observe the principles of the Charter of the United Nations, to implement the Universal Declaration of Human Rights and to respect the dignity of their citizens.

23. Mr. PORTALES (Chile) noted that, in accordance with the provisions of the Vienna Programme of Action concerning the need to improve the coordination and effectiveness of United Nations human rights machinery and in view of the interest shown by the international community in that question, the United Nations included it in the mandate of the United Nations High Commissioner for Human Rights and had established an open-ended working group to that end. Only in so far as it proved to be effective could that machinery truly contribute to the progressive improvement of respect for human rights throughout the world. Moreover, its contribution in that field would be all the more significant because the United Nations would have closer links with States and world public opinion. To that end, his delegation proposed four courses of action. First, it would be very useful if each committee responsible for ensuring the implementation of an international human rights instrument, in cooperation with the Centre for Human Rights and the necessary experts, issued a document specifying, on the one hand, those legislative norms which were contrary to the provisions of the instrument in question and, on the other hand, those which were most conducive to its implementation at the national level. Civil and political rights best lent themselves to such an undertaking, as economic, social and cultural rights were, first and foremost, the result of specific socio-economic policies and international economic factors. Second, there would have to be wider dissemination of publications on the procedures for submitting communications to the different United Nations human rights bodies such as working groups, committees and special rapporteurs, for there was an enormous gap between the number of cases which could potentially be submitted to them and what they actually received. In that connection, the effectiveness of the confidential procedure established by resolution 1503 (XLVIII) of the Economic and Social Council should be reviewed, for it no longer fulfilled the expectations of those who had recourse to it. Noting that neither the reports of the special rapporteurs and working groups nor the resolutions of the Commission on Human Rights and the General Assembly were disseminated as widely

as they should be, he proposed, as a third course of action, that they should be summarized in two- or three-pages in a single document. The resolutions of the Commission on Human Rights and the General Assembly could be published as leaflets on specific human rights themes. Stressing that the numerous United Nations events such as human rights years and decades seemed to have no impact on world public opinion, he said that it was necessary, as a fourth measure, to see whether that was due to saturation or to inefficiency.

24. Of course, all action taken to improve relations between the United Nations and world public opinion in the field of human rights should exploit the many opportunities offered by national and international human rights organizations, both governmental and non-governmental and the mass media. In that connection, the report of the Secretary-General on the development of public information activities in the field of human rights, including the World Public Information Campaign for Human Rights (A/49/582), was encouraging. It led one to conclude that, while the means of communication already existed, the content of the message to be disseminated could be improved.

25. Mr. SOTIROV (Bulgaria) expressed regret that, as the number of international human rights instruments increased, flagrant human rights violations continued to occur in the world. It was not sufficient for countries merely to accede to existing instruments; they must implement them. The international community, for its part, had a duty to intervene in order to check such violations of existing standards. In that connection, the effective control of the implementation of human rights was of capital importance. In no way did it constitute interference in the internal affairs of States. His delegation hoped that those countries which still refused to cooperate with United Nations monitoring mechanisms - in particular, those established under the Commission on Human Rights - would reconsider their position in order to enable the Commission to fulfil its mandate.

26. The ninth periodic report on the situation of human rights in the former Yugoslavia (A/49/641) painted a detailed picture of the current human rights situation in Kosovo, Vojvodina and Sandjak but the Special Rapporteur should also focus attention on other areas, in particular those with a large Bulgarian minority. Document A/49/455, submitted by Bulgaria, provided ample evidence that, contrary to what the Federal Republic of Yugoslavia stated in document A/C.3/49/10, that minority was denied certain rights such as the right to use its own language in the field of education, to have its own culture, to profess and practise its religion in its mother tongue and enjoy freedom of expression and freedom of association. Bulgaria could not but deplore the fact that its unceasing efforts during bilateral contacts with Yugoslav authorities at the highest level in order to resolve the problems of the Bulgarian minority in a constructive manner had thus far been in vain. It also regretted that a humanitarian delivery for the population of Bosilegrad had been intercepted by Serbian authorities on 11 October 1994 on the pretext that it contained books in Bulgarian. The profound concern of the Bulgarian delegation for the situation of the Bulgarian minority in Yugoslavia was purely humanitarian and not dictated by its own interests or by circumstances. It hoped that the facts which it had reported would be reflected in the next report of the Special Rapporteur. For

its part, it was keeping the international community informed of developments in the situation. In conclusion, it was willing to consider in good faith and in a spirit of good-neighbourliness and cooperation any positive proposals put forward, in particular by the authorities of the Federal Republic of Yugoslavia, aimed at resolving the acute problems of the Bulgarian minority in that country.

27. Mr. KA (Senegal) noted that his country, a constitutional State, was already a party to most international human rights instruments and had adapted its national legislation accordingly. He hailed the efforts of the Secretary-General of the United Nations to make Member States aware that universal ratification of the international human rights instruments was vital to the protection and promotion of those rights. In his view, United Nations activities in that field must be revitalized by strengthening the Treaty Section, in particular through the reclassification of the post of its chief.

28. Out of the same concern for effectiveness, his delegation advocated the establishment of a coordination service between the Centre for Human Rights and non-governmental organizations working for the universal ratification of international instruments. In that connection, it supported the recommendations contained in the report on the fifth meeting of persons chairing the human rights treaty bodies (A/49/537), held at Geneva in May 1994. The report contained, in particular, a proposal that those bodies should consider changing their working methods or amending their rules of procedure in order to allow non-governmental organizations to participate more fully in their activities.

29. Concerning the right to development, he referred to the Vienna Declaration and to the Programme of Action adopted at the International Conference on Population and Development, which reaffirmed that the right to development was universal and inalienable and was an integral part of fundamental human rights. In that connection, he stressed that the lack of development could not be invoked to justify the abridgement of human rights and that the right to development should be fulfilled so as to meet equitably the needs of present and future generations. He noted that the Secretary-General of the United Nations had stated in his report on the work of the Organization (A/49/1) that the United Nations should seek, above all, to give specific content to the right to development, to define better and ensure greater respect for economic, social and cultural rights and to improve the human condition in general. In the knowledge that sustained economic growth and sustainable development were decisive for the integral realization of human rights, the United Nations should urgently focus on establishing a mechanism to ensure the balanced promotion of civil and political rights, on the one hand, and of economic, social and cultural rights on the other. More effective implementation of economic and social rights would thus reduce obstacles to the realization of the universal right to development and would establish conditions conducive to collective and individual security.

30. Senegal was therefore following with interest the activities of the Working Group on the Right to Development, which, in its view, should be given the financial and logistical assistance it needed to discharge more effectively its mandate to identify obstacles to the implementation of the Declaration on the

Right to Development. Additional resources must be allocated to the Centre for Human Rights for that purpose.

31. In the spirit of the Vienna Declaration and Plan of Action, which stressed the need to enhance inter-agency coordination, the General Assembly had created the post of the United Nations High Commissioner for Human Rights. What was now required was greater cooperation between the treaty bodies, the specialized agencies and the High Commissioner, in particular between the latter and the Centre for Human Rights, with due regard for their specific mandates. It was essential to provide those two mechanisms with substantial resources to enable them to cope with the numerous tasks which faced them, particularly in the context of the Vienna Declaration and Plan of Action.

32. As to capital punishment, the Senegalese Penal Code made provision for it in certain cases (premeditated crimes, poisoning, barbarous acts, the taking of hostages, espionage and treason); execution was by firing squad in secret. Since Senegal's attainment of independence in 1960, the death penalty had been applied only twice; it was retained as a deterrent and to maintain social order. The relevant legislation would be reviewed once a national consensus had been achieved on the issue. Pending the outcome of the national debate on the advisability of abolishing capital punishment, Senegal had decided to abstain in the vote on the issue.

33. In conclusion, his delegation wished to emphasize the interdependence of human rights, democracy and sustainable development, which were essential elements of the international peace and security that the United Nations had been seeking to achieve for 50 years.

34. Mr. LINDGREN (Brazil) paid a tribute to the High Commissioner for Human Rights, whose report to the General Assembly (A/49/36) he had read with interest. The wide range of activities undertaken by the High Commissioner showed not only the dedication with which he was discharging his duties, but also the wisdom of the mandate set out in General Assembly resolution 48/141. A mechanism resulting from what had originally been a highly controversial decision had thus proved to be constructive and useful to the international community and to Governments in particular.

35. By addressing the question of the implementation of the right to development at the first meeting of the Administrative Committee on Coordination following the World Conference on Human Rights, by ensuring the involvement of the Bretton Woods institutions in his efforts in that connection, and by giving the right to development the highest priority, the High Commissioner for Human Rights had shown his firm grasp of one of the fundamental achievements of the World Conference: the universal acknowledgement of the right to development, in its individual and collective dimensions, as a fundamental right. The international community had finally acknowledged, without justifying violations of any kind under any pretext, that the right to development was the right which enabled all other rights to be respected.

36. His delegation appreciated the activities of the High Commissioner in other areas, in particular with regard to events in Rwanda, Burundi and Malawi. Those activities illustrated the role that could be played by the High Commissioner in emergencies, in preventive action and in situations of transition to democracy, thereby proving that the existing system could and must work. They also indicated that the United Nations human rights machinery had a very limited capacity to deal with crisis situations.

37. He commended the High Commissioner for having visited 16 countries in all regions of the world over the past few months. He had thereby confirmed that he was fully able to perform one of his most important functions: to establish the diplomatic contacts needed to ensure respect for human rights.

38. The tangible results of the Vienna Declaration and Programme of Action were, however, not limited to the creation of that post. The simple fact that since the World Conference on Human Rights all United Nations agencies had started to evaluate the implications for human rights of all activities within their sphere of competence tended to prove the contrary. The attention now paid to the equality and fundamental rights of women was a further illustration of that trend.

39. One of the most important of the long-term results of the Vienna Conference was the proclamation of the United Nations decade for human rights education during the current session of the General Assembly. Full respect for an individual's fundamental rights could only be achieved within a culture of human rights that ensured respect for such rights on a daily basis and in a spontaneous atmosphere.

40. His delegation had therefore followed with interest the Working Group of the Third Committee established to provide practical follow-up to the recommendations contained in the Vienna Programme of Action. It appreciated the constructive efforts made by its Chairman to sum up the essence of the various suggestions made by different countries or groups of countries. However, it regretted the lack of progress made by the group at each of its sessions. While his delegation hoped that the Working Group would be able to adopt a draft resolution by consensus, it urged that States should not be discouraged if it failed to do so, since the Committee did not yet appear to have defined its goals in concrete terms.

41. He regretted that, of all the recommendations made at the Vienna Conference, the one concerning the strengthening of the Centre for Human Rights had not been properly followed-up. As the High Commissioner had observed, the scarcity of financial and human resources at the disposal of the Centre was such that only the quality and voluntary dedication of its staff had enabled it to cope with its growing workload. It was the responsibility of the States Members of the United Nations to resolve the problem.

42. For more than two years, in different forums, his country had been recommending that the United Nations should establish a comprehensive programme to support national projects aimed at strengthening institutions of the rule of

law. It appeared from the report submitted by the Secretary-General (A/49/512), that such a programme already existed, but that it lacked the means to provide the proposed assistance. He wondered whether the limitations of the international system for the promotion and protection of human rights were exactly the same as those which affected the United Nations system as a whole: its objectives and fields of action had outgrown its capacity and material resources. If that was the case, then perhaps the best solution, as far as human rights were concerned, would be the increased rationalization of the organs concerned, since it would be most regrettable if the international community had to lower its expectations any further.

43. Mr. SAHRAOUI (Algeria) said that Algeria welcomed the unanimity that had been achieved at the World Conference on Human Rights in Vienna over the concept of the interdependence and indivisibility of human rights. In his view, one of the major achievements of the Conference had been to reassert, by consensus, the universal nature of the right to development. It was unfortunate, however, that for lack of concrete measures that right had still not been realized. He concurred with the conclusions of the Working Group on the Right to Development of the Commission on Human Rights, and deplored, in particular, the fact that a distinction was made within the system between the various categories of human rights and that, without a monitoring mechanism, no progress was possible towards the implementation of the right to development, an issue which remained the collective responsibility of the international community.

44. With those observations in mind, his delegation firmly supported the consultations currently being conducted by the High Commissioner for Human Rights with Heads of State or Government, the heads of the secretariats of the multilateral financial institutions and the specialized agencies and the representatives of intergovernmental or non-governmental organizations, regarding the impact of structural adjustment policies on the implementation of the right to development, and regarding the appropriate measures to be taken to find a durable solution to the debt crisis.

45. Algeria was aware that the promotion and protection of human rights and democratic principles were primarily the responsibility of Governments, and it assigned a prominent place to those rights and principles in its project for the construction of a modern State based on republican principles and on the alternation of political power. Accordingly, it had acceded, without reservations, to the international legal human rights instruments, including the optional protocols.

46. Support for universally recognized norms could not allow the propagation of doctrines incompatible with human rights and democratic values, and it was for that reason that the Government and society in Algeria opposed religious extremism and the terrorist violence that characterized it. The Government of Algeria was determined to continue the dialogue with all those parties for which violence was not an act of faith and which desired to devise a solution that met with a consensus and emanated from the Algerian people themselves; accordingly, it was endeavouring to protect the fundamental rights of its citizens and to put an end to the terrorist manifestation of religious extremism. Algeria thus

endorsed the view expressed by the international community at the Vienna Conference that acts of terrorism in all its forms and manifestations were activities aimed at the destruction of human rights, fundamental freedoms and democracy and that States should take the necessary steps to combat intolerance based on religion or belief and the violence that accompanied it.

47. His delegation expressed the hope that the major resolutions adopted in 1994 at meetings devoted to the human person would rapidly become a reality.

48. Mr. SLOKENBERGS (Latvia) said that the Vienna Conference on Human Rights had been an important milestone in the history of mankind as all the participating States had reaffirmed their determination to protect and to promote human rights. In that respect, it had been markedly different from the first International Conference, held at Tehran in 1968, at a time when the world had been divided into two hostile blocs.

49. In his view, the time had come to transform those commitments into action; responsibility for doing so lay not only with States, but with the international community as a whole. Latvia welcomed the creation of the post of the High Commissioner for Human Rights, whose mandate encompassed a broad range of functions closely interconnected with the work of United Nations human rights machinery. If the efforts of the Organization in that sphere were to be effective, it was essential to improve coordination and cooperation among all the elements of that machinery, particularly since resources were limited and the Organization was being entrusted with an increasing number of tasks. In the view of his delegation, the High Commissioner, the Centre for Human Rights and the other institutions would be hard put to discharge their tasks without the allocation of additional resources.

50. It was clear from the first report of the High Commissioner (A/49/36) that he had initiated a constructive dialogue with many countries, thus helping to promote cooperation and understanding within the international community. None the less, his delegation believed that it was first and foremost necessary for States to respect the commitment they had made to comply with the recommendations contained in the Vienna Declaration and Programme of Action.

51. For its part, Latvia had endeavoured to establish and strengthen national human rights institutions and to draw up a national action plan in that sphere. The post of State Minister for Human Rights had been created within the Ministry of Justice. The post was, however, regarded as a temporary one, and one of the Minister's main tasks was to facilitate the establishment of an independent institution for the protection and promotion of human rights. In addition, a governmental working group on the protection of the rights of the individual had been established, in order to bring together key individuals dealing with human rights.

52. In response to a request by that working group, a high-level international mission, organized by the United Nations Development Programme (UNDP) and comprising representatives of several international organizations, including the Conference on Security and Cooperation in Europe (CSCE) and the Council of

Europe, had visited Latvia to assist in the development of a national programme for the protection and promotion of human rights. The Prime Minister of Latvia had presented the first public copy of the draft programme to the High Commissioner for Human Rights during the latter's visit to Latvia.

53. His delegation wished to stress the important role of various United Nations bodies, in particular UNDP, in the preparation of the programme. Their cooperation demonstrated the constructive role that advisory services and technical assistance could play in the process of strengthening democratic institutions. Latvia was prepared to share its knowledge and experience with all interested countries.

54. Mr. AL-DOURI (Iraq), speaking in exercise of the right of reply, deplored the fact that the United States delegation had mentioned the President of Iraq by name, contrary to diplomatic usage within the United Nations.

55. One might well wonder what principles and values were upheld by the United States, a country which was responsible for the massacre of hundreds of thousands of Iraqis in the course of its aggression against Iraq, and which, as he spoke, was responsible for the deaths of old people, women and children in Iraq.

56. The United States had alleged that the Government of Iraq stole food sent to the population, whereas in fact the system for the distribution of food rations in Iraq was perfectly equitable.

57. The assertion that no United States company was helping to design projects to drain the marshes was false, and his delegation offered to produce documents to prove the contrary. It was stretching the limits of credibility to claim that the United States was more concerned than Iraq itself to serve the interests of the Iraqi population. Such a claim was merely part of the aggressive United States campaign against Iraq, which had nevertheless complied with all the demands made in the resolutions of the Security Council.

58. Within the Security Council, it was the United States which opposed lifting the embargo against Iraq, thereby seeking to starve its population and deprive Iraq of its natural resources. Iraq could but hope that the world would one day shake off the hegemony of the United States and that the United Nations would implement the provisions of the Charter equitably and objectively.

59. The United States had stated that it advocated the establishment of an international commission to study the acts of genocide and war crimes committed in Iraq. But he wondered who but the United States was responsible for those crimes. It was the United States which had approved the resolution authorizing the bombardment of civilian targets, such as the Baghdad hospital, which had taken the lives of 400 women and children. It was the United States which was responsible for the massacre of Iraqi soldiers after Iraq had announced a cease-fire and had withdrawn from Kuwait. It was the United States, again, which had employed atomic weapons, a fact which had been proved and which Iraq had reported to the United Nations. It was the United States again which, in 1993,

had prevented the Kurds from signing an agreement with the central Government. Lastly, it was the United States which opposed the delivery of food, medicines and other products vital to the survival of the Iraqis.

The meeting rose at 5.50 p.m.

UNITED NATIONS

General Assembly

FORTY-NINTH SESSION

Official Records

THIRD COMMITTEE
46th meeting
held on
Tuesday, 29 November 1994
at 3 p.m.
New York

SUMMARY RECORD OF THE 46th MEETING

Chairman: Mr. SRIVIHOK (Thailand)
(Vice-Chairman)

later: Mr. BIGGAR (Ireland)
(Vice-Chairman)

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In the absence of Mr. Cissé (Senegal), Mr. Srivihok (Thailand), Vice-Chairman, took the Chair.

The meeting was called to order at 3.20 p.m.

AGENDA ITEM 100: HUMAN RIGHTS QUESTIONS (continued) (A/49/57 and Corr.1, A/49/58, A/49/75-S/1994/180, A/49/182, A/49/206, A/49/220, A/49/221, A/49/265, A/49/271, A/49/282, A/49/283, A/49/286, A/49/287 and Corr.1-S/1994/894 and Corr.1, A/49/292, A/49/298, A/49/304, A/49/386, A/49/422, A/49/532, A/49/591)

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(d) COMPREHENSIVE IMPLEMENTATION OF AND FOLLOW-UP TO THE VIENNA DECLARATION AND PROGRAMME OF ACTION (continued) (A/49/668; A/C.3/49/5, A/C.3/49/8, A/C.3/49/10)

1. Mr. BORDA (Colombia) said that the human rights situation in Colombia was explained by the country's political and social realities. Drug trafficking, terrorism, guerrilla warfare and common delinquency influenced the effective exercise of the population's human rights. In Colombia, violence had claimed thousands of victims amongst political leaders, journalists and members of the police and armed forces as well as ordinary people. Colombia was well aware of its responsibilities with respect to the protection and promotion of human rights, which were derived as much from the international commitments that it had undertaken - the International Covenant on Civil and Political Rights and its first Optional Protocol and the American Convention on Human Rights - as from its own legislation. The constitutional reform which the Government had undertaken in 1991, with the full participation of the population, guaranteed the exercise of human rights and fundamental freedoms. A charter defined the rights of each citizen, and various mechanisms to which the population could have recourse in cases of violation or threatened violation of their recognized rights. It had been claimed that the reform was merely a public relations

exercise to placate international opinion, but in fact it represented a fundamental reform, which could be followed by medium-term measures intended to promote human rights and human rights education.

2. The Colombian Government had recognized that human rights violations had taken place on its territory, but had demonstrated that those were isolated cases of excesses committed by agents of public order, and not a deliberate policy on the part of the State. That was in contrast to the situation in some countries which were witnessing the appearance of new forms of racism and xenophobia, whose first victims were minorities and migrant workers.

3. His Government had chosen transparency and cooperation with intergovernmental and non-governmental human rights organizations. In that regard, the United Nations High Commissioner for Human Rights would soon be visiting Colombia. The Special Rapporteur on Extrajudicial, Summary or Arbitrary Execution and the Special Rapporteur on Torture had made visits recently, and Amnesty International had been invited to open a permanent office there.

4. Since the consolidation of peace and national reconciliation were prerequisites for the full enjoyment of human rights, the new Colombian administration had called on the High Commissioner for Peace to mobilize the civil society around the national reconciliation plan, to set up a timetable for negotiations and to define the administrative mechanisms and instruments to be put in place in order to assure peace with the participation of all. Public opinion had responded positively to those measures, as had the guerrilla movements. The High Commissioner for Peace had presented his first report on 17 November, and his preliminary conclusions had been encouraging. He was about to begin preparations for eventual negotiations.

5. Combating impunity was one of the primary objectives of the Colombian Government, which had taken concrete measures to strengthen the judiciary. In order to complement human rights instruments and make them more effective, the Government had proposed to create human rights offices in all military and police garrisons, ensure that representatives of the judiciary and of the public prosecutor's office have access to areas as needed and give full support to the International Committee of the Red Cross to enable it to obtain immediate information on detentions and arrests carried out in national territory and to visit detention centres. His Government had prepared a strategy to revitalize the fight against private police forces linked to drug traffickers which had used violence against grass-roots leaders and organizations. Emergency relief programmes and job creation projects to benefit those displaced from the country's interior by the political violence had been put in motion, and the Government intended to elaborate agrarian reform programmes and to make loans available to agricultural workers who were forced to move to the cities. It also intended to tackle the sources of the problem and develop voluntary return programmes when the safety of those concerned would no longer be at risk.

6. His Government attached special importance to the enforcement of laws related to the human rights education of children, young people and, above all,

law enforcement officials. A human rights information campaign had been undertaken in army and police ranks, with the support of the authorities.

7. The Government was determined to establish positive relationships with human rights organizations and had committed itself to protect the life and personal integrity of their members. While it reserved the right to defend its point of view with regard to the assessments made by them, it would never challenge their legitimacy, and it intended always to act in a constructive manner. His Government had recently passed a decree to create a human rights commission, which included representatives of the Government, human rights bodies, the Church, the International Committee of the Red Cross and the political opposition. It was also working in close collaboration with non-governmental human rights organizations as part of the efforts of the commission which had been established under the auspices of the Inter-American Commission on Human Rights to investigate the Trujillo case.

8. Mr. BAUMGARTNER (Germany), speaking on behalf of the European Union, welcomed the report of the Secretary-General on the Vienna World Conference on Human Rights (A/49/668). Recalling that the General Assembly, at its previous session, had endorsed the Declaration and Programme of Action adopted at the Conference and had pledged to work towards the full implementation of all its recommendations, the European Union welcomed the creation of the post of High Commissioner for Human Rights and the nomination of Mr. Ayala Lasso to that post. It stressed how important it was for the United Nations system and Member States to support him in fulfilling his mandate in that position. The United Nations High Commissioner for Human Rights was the principal United Nations official responsible for human rights activities and supervision of the Centre for Human Rights. Additional financial, human and other resources should be provided to permit the High Commissioner and the Centre to implement their mandates effectively, in full and on time, and measures should also be taken to improve the administrative efficiency of the Centre, through technical assistance if required. The European Union was disappointed that when resources were allocated at the previous General Assembly, under the financing of posts whose creation had been called for under the Vienna Declaration and Programme of Action, no appropriations had been foreseen in the current budget for the implementation of the Vienna Declaration and Programme of Action. Without additional resources, the United Nations could not fully play its role in promoting human rights.

9. United Nations efforts in that area to date did not measure up to the importance attached to the realization of human rights, one of the main purposes of the United Nations Charter. Neither did those efforts meet the recommendations of the Vienna Conference, which had requested the Secretary-General and the General Assembly to "take immediate steps to increase substantially the resources of the human rights programme". The European Union was convinced that, thanks to the political developments the world had witnessed in recent years, the United Nations should soon be able to free significant resources and redeploy them to the human rights programme, which currently represented only 1.4 per cent of the United Nations budget. Member States should identify areas for which they would be willing to see resources

allocated, and the Secretary-General should make proposals in that respect, in particular to the Fifth Committee of the General Assembly.

10. Human rights activities were an integral part of development activities; indeed, development depended on democracy, transparency, good governance, respect for the rule of law and the exercise of human rights. The European Union was convinced that the financing of human rights activities benefited development activities. The support furnished by the Centre for Human Rights through its advisory services and technical cooperation should therefore be strengthened, and its budget should be increased to keep pace with the growing needs of States.

11. In conclusion, the European Union urged the Member States and the Secretary-General to increase substantially the share of resources allocated to human rights activities within the regular budget of the United Nations, and it hoped that the relevant draft resolution submitted by Austria would be adopted by consensus.

12. Mr. KARSGAARD (Canada) said that in order to meet the growing demands in the field of human rights, the United Nations had to have the means necessary to promote and protect those rights. In that regard, the Canadian Government appreciated the accomplishments of the United Nations High Commissioner for Human Rights and would continue to support him in fulfilling his mandate.

13. Over the course of the previous year, the human rights situation in several countries had preoccupied the international community. First among those countries was Rwanda. To prevent such genocide from recurring, those responsible must be tried before an international tribunal. Confidence had to be re-established among the population in order to facilitate the return of refugees and consequently bring to justice the perpetrators of revenge killings. A strong resolution expressing the international community's outrage over such violations should to be adopted.

14. His delegation hoped that the recent agreement between the Government and the opposition in Burundi could restore stability and ease tension. The international community should demonstrate its support for the deployment, as a preventive measure, of teams of human rights monitors in that country.

15. Canada fully supported the work of the International War Crimes Tribunal for the Former Yugoslavia. It deplored the continued flagrant violations of human rights under the so-called policy of "ethnic cleansing" and strongly condemned the attitude of the authorities of Serbia and Montenegro, in particular their incitements to discrimination and hatred against ethnic and religious groups and their forced recruitment of refugees in Kosovo, Sandjak and Vojvodina.

16. Canada noted that the work of the United Nations special rapporteurs and representatives, who played a key role in monitoring the situation in countries where abuses had occurred and in encouraging Governments to live up to their

commitments, was hampered by a lack of resources and, in many instances, a lack of cooperation from Governments.

17. In Iraq, where the human rights situation had further deteriorated from the previous year, the Baghdad Government had to end the abuses committed against the Marsh Arab population, the Kurds and other minorities. The Third Committee should carefully consider the report of the Special Rapporteur and do everything in its power to implement his recommendations.

18. Canada deplored, in the strongest terms possible, the fact that all parties to the conflict in the Sudan were guilty of gross abuses of human rights and was particularly concerned by the inflexible attitude demonstrated by the Government of the Sudan at the most recent IGADD-sponsored peace talks. Canada also deplored the harassment of United Nations agencies and non-governmental organizations in their humanitarian relief efforts. It strongly urged the Government of the Sudan to cooperate with the Special Rapporteur of the Commission on Human Rights and to halt the personal attacks against him.

19. The Canadian delegation called for renewed cooperation on the part of the Islamic Republic of Iran with the Commission's Special Rapporteur and urged it to exert all efforts to prevent attacks against members of religious minorities, particularly the Bahai community. The fatwa against the British author Salman Rushdie was an outrage against the fundamental values of the United Nations.

20. Although Canada continued to be disappointed by Cuba's refusal to cooperate with the Special Rapporteur of the Commission on Human Rights, it hoped that the recent visit to Cuba by the High Commissioner for Human Rights would lead to greater Cuban cooperation with the United Nations system. Cuba's achievements in many areas of economic and social rights were noteworthy, but might be lost if not reinforced by progress in the field of civil and political rights.

21. Canada had long recognized the crucial link between democracy and respect for human rights. The situation in several countries served to illustrate that link.

22. In Myanmar, in spite of the encouraging beginning of dialogue, the Special Rapporteur continued to document callous disregard for human rights and the democratic process. The unconditional release of Daw Aung San Suu Kyi was essential to the process of reconciliation and democratic reform. The international community must continue to monitor the situation in Myanmar and Canada would work with others, especially neighbouring countries, in pursuing initiatives to promote greater respect for human rights in that country.

23. Canada was encouraged that Viet Nam had adopted administrative and legal reform measures. Nevertheless, his delegation continued to have grave concern at the arbitrary arrest of religious leaders and the long prison terms given to dissidents and called on the Government of Viet Nam to release those individuals.

24. Concerned about the recent developments in East Timor, Canada hoped that Indonesia would comply fully with its commitments made at the recent meeting of the Commission on Human Rights and welcomed the visit made to that country by the Special Rapporteur on summary or arbitrary executions. Furthermore, Canada urged Indonesia to ensure speedy ratification of the two international human rights covenants.

25. The Canadian delegation was still concerned by the human rights situation in China and deplored the lack of improvement in the human rights situation in Tibet. Canada's policy was to maintain a constructive dialogue with China on those matters and it remained prepared, as the Prime Minister of Canada had recently stated to Chinese leaders, to pursue cooperative projects to assist in developing China's judicial machinery.

26. Canada deplored the fact that the military regime had halted the democratic process in Nigeria and violated the human rights of its citizens, including minority rights, such as those of the Ogoni. The international community should increase its pressure on the military regime in order to promote renewed progress towards democracy.

27. The situation in Jammu and Kashmir continued to concern Canada. While welcoming the efforts made in the region over the past year, his country called for further concerted action by all parties to bring about an end to the continuing human rights abuses. Canada encouraged the Indian Government to give further access to the region to international human rights organizations and the High Commissioner for Human Rights. India and Pakistan should engage in a constructive dialogue on their differences, including Jammu and Kashmir. Canada also encouraged the Pakistani Government to address the problems relating to respect for human rights in Pakistan, including discrimination against minority groups.

28. In Liberia, where human rights violations had become so endemic that humanitarian agencies could no longer operate in that country and the United Nations and regional peace-keepers had begun to withdraw, all factions must demonstrate that they were serious about peace if the international efforts to assist Liberia were to continue.

29. Canada fully supported the efforts being made by the Special Envoy of the Secretary-General in Afghanistan and called upon all Afghan faction leaders to end the carnage so that a process of reconciliation and reconstruction could take place in the country.

30. Fortunately, the situation was not uniformly bleak. South Africa, in particular, had made dramatic progress in the area of human rights; and the international community should encourage and support the efforts of the new Government of National Unity to overcome the legacies of the apartheid system.

31. After the return to Haiti of the democratically elected President, Jean-Bertrand Aristide, major challenges confronted the Government in its efforts to restore full respect for human rights. Canada was pleased to see

that the UN/OAS civilian observer mission was active again in Haiti. His Government had announced a $30 million aid package for Haiti, which included substantial assistance for the protection and promotion of human rights. It was also providing training in Canada and Haiti for the future Haitian police force and would participate in the United Nations mission in Haiti when the time came.

32. In the Middle East, the peace treaty between Israel and Jordan had strengthened the impetus of the peace process. Efforts to negotiate an end to the Israeli-Arab conflict must be complemented by the will of all States in the region to improve the human rights situation. Canadians were outraged by the attacks carried out by Hamas.

33. His delegation found it regrettable that Gambia, after a generation of democratic experience, was again under the rule of a military regime. It called upon the new Gambian authorities to expedite the reforms they had promised to implement.

34. In Zaire, where the political situation seemed to have improved with the formation of a transitional government, the Government must control abuses committed by the security forces. The international community should closely follow the development of that situation.

35. In Togo, although the new Government was emphasizing human rights, the rule of law and reconciliation, efforts must be made to correct longstanding abuses by the security forces.

36. Canada recognized the initiatives of the Peruvian Government to improve the human rights situation and supported its efforts to combat terrorism. It also supported the efforts of OAS to put an end to human rights abuses committed by official institutions.

37. Canada welcomed the stated intention of the recently elected Government of Sri Lanka to address human rights problems in an active manner. It welcomed the initiatives taken by the Government and its opponents in the direction of a negotiated solution to the civil conflict and the decline in reported human rights abuses by the security forces and Tamil secessionists.

38. The situation in Latin America as a whole continued to give cause for optimism. His delegation hoped that the negotiations between the Guatemalan Government and the Unidad Revolucionaria Nacional Guatemalteca (URNG) would soon lead to an end to Central America's longest standing armed conflict. It hoped that the United Nations Human Rights Verification Mission in Guatemala would help put an end to human rights violations and to the ongoing problem of impunity.

39. In El Salvador, where significant progress had been made in the quest for peace and reconciliation over the past year, Canada urged the Salvadorian Government and the Frente Farabundo Martí para la Liberación Nacional (FMLN) to consolidate the advances made thus far by fulfilling the remaining undertakings

of the Peace Accords. It welcomed the initiative of the Salvadorian Government to work with the Secretary-General's Independent Expert on human rights issues.

40. Canada had vigorously supported initiatives to achieve a negotiated settlement to the Angolan conflict and had repeatedly urged both parties to the conflict to safeguard human rights. It welcomed the signing of the Lusaka Protocol on 20 November 1994 by the Government and UNITA and urged them to adhere fully to their obligations under the agreement.

41. Mrs. KERKAB (Libyan Arab Jamahiriya) stressed the importance of the World Conference on Human Rights and the adoption of the Vienna Declaration and Programme of Action in which it was affirmed that human rights were universal and indivisible and that the right to development was an integral part of those rights. It had been expected that the consensus achieved at Vienna would lead to concrete results, especially after the establishment of the post of United Nations High Commissioner for Human Rights of the Committee's Working Group on the follow-up to the World Conference, and that confrontation would make way for dialogue and for cooperation. However, the Working Group was making no progress and its work was being hindered by the refusal of certain States to respect the commitments entered into at Vienna. The issue of human rights continued to be approached on the basis of double standards; certain States were posing as judges and exerting political and economic pressure to impose their value systems on third world States and interfere in their internal affairs. That conduct was an obstacle to international cooperation and to the establishment of constructive dialogue.

42. In the view of her delegation, the debates which had taken place in the Committee and the accusations made against various States were contrary to the Vienna Declaration and Programme of Action. Rules designed to promote dialogue and international cooperation and avoid all confrontation must first be established. In particular, the mandate of the human rights bodies should be reviewed so as to eliminate duplication, guarantee the neutrality and objectivity of those bodies and ensure that human rights were considered by them on an equal footing. Efforts must also be made to avoid politicizing the question of human rights and making it a means of pressure.

43. Her delegation believed that priority should be accorded to economic, social and cultural rights, which had been neglected over past decades, in particular the right to development. In that respect, it welcomed the work of the Working Group on the Right to Development of the Commission on Human Rights and hoped that it would lead to recommendations designed to ensure that peoples and individuals were afforded that right.

44. With regard to the note by the Secretary-General regarding the geographical distribution of posts in the staff of the Centre for Human Rights (A/49/545), her delegation noted that two thirds of the members of the Centre were from the industrialized countries. It felt that that was an unacceptable balance and that the composition of the Centre should better reflect the cultural diversity of the world community.

45. She reaffirmed the desire of the Libyan Arab Jamahiriya to work with all international human rights bodies with a view to promoting cooperation and establishing constructive dialogue in accordance with the principles of the Charter of the United Nations and on the basis of equality and mutual respect.

46. Mr. GUIDETTI (Observer for Switzerland) said that the establishment of the post of United Nations High Commissioner for Human Rights was one of the most tangible manifestations of the unanimously expressed desire of the international community at the World Conference on Human Rights to ensure better respect for those rights in the world. The responsibilities and very broad mandate which had been entrusted to the High Commissioner would strengthen the work of the United Nations in respect of the most serious violations (summary executions, torture, arbitrary detentions, forced disappearances) and of new types of violations (intolerance and fanaticism, racism, xenophobia, non-respect for the rights of minorities, extreme poverty). While the primary responsibility lay with States, the World Conference had clearly reaffirmed that respect for human rights was a legitimate concern of the international community.

47. Switzerland was gratified that, in the context of action to consolidate the spirit of international cooperation and promote human rights in the world, the High Commissioner was according special attention to preventive action. That action included the establishment of continuous dialogue with all the participants in the international community and the development of effective advisory and technical assistance services, including the improvement of human rights education. In that respect, progress could not be achieved unless the contributing States made increased efforts in future, particularly in the form of contributions to various voluntary funds established for that purpose, and cooperation among United Nations bodies was improved. It was in technical assistance in the area of human rights that the commitment undertaken at Vienna by the international community should be put into effect.

48. Preventive action also included another area - the elaboration of standards for the prevention of torture - an area in which the Commission on Human Rights was doing pioneer work. That scourge would not be eradicated without effective prevention, which was precisely the aim of the draft optional protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, an initiative in which Switzerland had participated. The draft was currently being reviewed by a working group of the Commission on Human Rights. His delegation urged all States to cooperate actively in the elaboration of that instrument so that it could be adopted without its substance being diluted, and implemented without delay.

49. In his delegation's view, the system of human rights monitoring, consisting essentially of the institutional mechanisms of the Commission on Human Rights and the treaty bodies, should be strengthened. The follow-up of the recommendations formulated by those bodies should be more effectively ensured and the activities of the international community could be improved in cases where grave and mass human rights violations called for urgent action. The High Commissioner could thus intervene where States had difficulty complying with their obligations in the field of human rights. He might also, as he had done

during the Rwandese crisis, coordinate large-scale action by the international community, including both human rights monitoring and the restoration of confidence and the determination of responsibility for the most serious violations. The Swiss Government had made a major contribution to that effort, but further progress must be achieved. It was to be hoped that the High Commissioner would be given the human and material resources necessary to fulfil his mandate and that his office at Geneva could begin to function smoothly early in 1995.

50. Referring to agenda item 100 (e), he pointed out that Switzerland was a party to the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty. Switzerland believed that the death penalty was a form of punishment which violated human dignity and that its abolition should be the ultimate objective of the international community. It supported the Italian initiative, which was aimed at renewing awareness of that question among Governments by reaffirming that capital punishment could be imposed only for the most heinous crimes and suggesting the principle of a moratorium on the execution of the death penalty.

51. Mr. SZYMANSKI (Poland) took stock, 16 months later, of the efforts made to follow up the World Conference on Human Rights. For the first time in history, all countries had reaffirmed the fundamental principles of the international protection of human rights and formulated programmes to implement them. Among the specific measures which had been taken were the establishment of the post of High Commissioner for Human Rights and the appointment of Mr. Ayala Lasso to that post; the confirmation of the commitments embodied in the Vienna Declaration and Programme of Action and in the resolutions of the Commission on Human Rights and other relevant bodies; and the broad dissemination of the message of the World Conference.

52. On the other hand, he had also noted some very disappointing aspects. The implementation of the Programme of Action would require an allocation of additional human and financial resources to human rights activities. Unfortunately, the financial policy of the United Nations towards human rights had not changed. His delegation hoped that that situation would be remedied during the current session of the General Assembly. It noted, moreover, that one year after the World Conference there was still no plan of activities of the United Nations bodies aimed at the implementation of the Vienna Declaration and Programme of Action. It hoped that, in future, human rights protection mechanisms within the United Nations would receive greater attention.

53. The fiftieth session of the Commission on Human Rights had, once again, revealed its vital role in examining country situations in the field of human rights. In that connection, the progress achieved in certain States could not camouflage the tragic situation in others, such as Bosnia and Herzegovina and Rwanda. Poland had joined those countries which had responded positively to the appeal of the High Commissioner for Human Rights for the convening of a special session of the Commission on Human Rights devoted to the situation in Rwanda. It endorsed the resolution adopted on the question and the action undertaken by the High Commissioner. None the less, it believed that the situation in Rwanda

called for an overall reassessment of how the United Nations reacted to such tragedies. At the same time, Poland hoped that the action taken by the High Commissioner in Burundi would prevent further conflicts there. In that connection, it agreed with the High Commissioner that timely preventive action coupled, if necessary, with the restoration of human rights, remained one of the chief functions of the United Nations.

54. The fiftieth session of the Commission on Human Rights had also confirmed the need for reform of that organ as a matter of priority. His delegation welcomed the efforts made in that regard by the Chairman of the Commission, Mr. Peter Palthe, and the decision of the Commission to establish a working group to consider the question. In its view, the status, agenda and methods of work of the Commission should be adapted to current and future needs. Unfortunately, the session of the Working Group held in September had not produced any recommendations. Yet the reform of the Commission was an urgent task. His delegation hoped that the High Commissioner would accord priority to that question and also expected a great deal in that regard from the Working Group of the Third Committee under the chairmanship of Mr. Danilo Turk.

55. He drew the Committee's attention to the initiatives taken by his country at the World Conference and subsequently at the fiftieth session of the Commission on Human Rights. It believed that the Vienna Declaration and Programme of Action virtually ignored the question of the prevention of serious and massive human rights violations and the problem of respect for human rights in internal conflicts. However, in a statement he had delivered at Laval University at Quebec on 23 August 1993, the Secretary-General of the United Nations had indicated that those new conflicts were the greatest threats to international peace and to the rights of individuals. New responses must therefore be invented, such as establishing a new diplomacy for democracy and human rights in order to contain the tide of ultra-nationalism and repel fanaticism, intolerance and terrorism. The new diplomacy would involve peace-keeping operations whose mission was national reconciliation and the consolidation or restoration of democracy and the protection of human rights; constitutional assistance; good offices missions; and enforcement measures for the defence of human rights and the promotion of democracy. In that context, his delegation had proposed to the World Conference and subsequently to the Commission on Human Rights at its fiftieth session the elaboration of an agenda for human rights. It had also proposed the establishment of a committee for human rights and humanitarian affairs within the General Assembly so that human rights, which were the moral foundation of international life, could occupy their rightful place.

56. Lastly, he raised the very controversial question of minimum humanitarian standards in so-called "non-international conflicts". It had not been possible to formulate appropriate recommendations concerning that problem, which was not new, at the International Conference for the Protection of War Victims, held in 1993. And yet, according to the International Committee of the Red Cross (ICRC), 80 per cent of the victims of armed conflicts were currently victims of non-international conflicts. The question should thus be considered as a matter of priority. The resolution adopted by the Subcommission on Prevention of

Discrimination and Protection of Minorities at its most recent session, which recommended to the Commission on Human Rights that it should consider the Declaration of Minimum Humanitarian Standards, opened the debate on that issue. That opportunity must be seized.

57. Mr. MAYCOCK (Barbados), speaking on behalf of the 12 States of the Caribbean Community (CARICOM) and of Suriname, noted with satisfaction the developments in the field of human rights over the course of the past year, including the appointment of a High Commissioner for Human Rights, of a Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance and of a Special Rapporteur on violence against women. The end of apartheid and the dawn of democracy in South Africa, which he was pleased to welcome back to the international arena, were also a cause for satisfaction. His delegation felt that the post of High Commissioner for Human Rights could promote confidence-building and encourage those States which might have some difficulty in cooperating with other human rights mechanisms to enter into dialogue. It paid tribute to the High Commissioner for the emergency action he had taken in response to the human rights violations in Rwanda and Burundi. Those successes had been blunted by regression in many other countries and he strongly condemned all violations that had been committed. The Vienna Declaration reaffirmed the mutually reinforcing interrelationship between democracy, development and human rights. The infringement of any of those elements was detrimental to the enjoyment of fundamental freedoms.

58. The situation in Haiti provided a good example in that context. He hailed the reinstatement of President Aristide, which had brought to an end three years of terror and massive internal displacement. The CARICOM States and Suriname were participating in international efforts at institution-building and the establishment of democracy and respect for the rule of law in Haiti. They therefore endorsed the recommendation contained in paragraph 156 of the Special Rapporteur's report (A/49/513) that the international community should continue to monitor the political, economic and social situation in Haiti and should support its democratic development through cooperation and technical assistance. They considered it essential not only to rehabilitate the country but also to encourage a culture of respect for human rights. To that end the CARICOM States and Suriname would fully support the draft resolution on Haiti.

59. The CARICOM States and Suriname were of the belief that United Nations human rights organs should be better coordinated and made more efficient, as called for in the Vienna Programme of Action. They recognized the importance of the task of the Working Group on the strengthening of United Nations human rights organs and appreciated the efforts of its Chairman. Believing that human rights education, training and public information were essential, they fully supported resolution 1994/51 of the Commission on Human Rights, proclaiming a Decade for human rights education to commence on 1 January 1995. The programmes envisaged during the Decade would complement the United Nations World Public Information Campaign for Human Rights and the World Plan of Action on Education for Human Rights and Democracy adopted in March 1993 by the International Congress on Education for Human Rights and Democracy, organized by UNESCO.

60. The CARICOM States and Suriname attached great importance to United Nations efforts in strengthening the rule of law and the administration of justice and endorsed the programmes and activities of the Centre for Human Rights presented in the Secretary-General's report (A/49/512). They wished, however, to underscore the importance of providing advisory services and technical assistance only at the request of States seeking to improve their national institutions for the promotion and protection of human rights.

61. The CARICOM States and Suriname concurred with the High Commissioner for Human Rights in his belief that he needed greater resources to enable him to undertake his mandate. They recognized that the Centre for Human Rights had been historically underfunded and that the Vienna Declaration and Programme of Action had considerably broadened its responsibilities. They therefore supported calls for increasing the level of resources allocated to the Centre under section 21 of the programme budget, on the understanding that there would be no diversion of funds allocated for development activities.

62. The CARICOM States and Suriname were among the 129 States parties to the Convention on Economic, Social and Cultural Rights. They fully backed the principle affirmed by the World Conference on Human Rights that human rights were universal, indivisible and interdependent and should be treated globally in a fair and equal manner. The affirmation that the right to development was a fundamental human right was one of the most significant outcomes of the World Conference. They therefore considered it ironic that some States which claimed to believe that the human being should be placed at the centre of development sought simultaneously to repudiate the right to development as a fundamental human right. They hoped that such States would soon yield to the logic of paragraph 17 of the Vienna Programme of Action. They noted with appreciation the efforts being made by the Commission on Human Rights to implement the United Nations Declaration on the Right to Development adopted in 1986 and they looked forward to the recommendations of the Working Group established by the Commission to examine the question. They fully supported the Commission's resolution 1994/12 entitled "Human rights and extreme poverty" and in particular the mandate given to Mr. Leandro Despouy, Special Rapporteur on human rights and extreme poverty. A thorough examination of the issue was essential, since one fifth of all human beings lived in extreme poverty, without adequate food, clothing or shelter.

63. The CARICOM States and Suriname were encouraged that the alleviation of poverty was one of the three core issues to be addressed by the World Summit for Social Development. They too were grappling with the serious problem of rural poverty and the increase in urban poverty. The Summit would afford world leaders a unique opportunity to adopt concrete measures to eradicate poverty in all its forms.

64. The CARICOM States and Suriname were of the view that there could be no effective enjoyment of human rights without social progress. They recognized, however, that national development policies could not be implemented without the support of a favourable international economic environment. For that reason they firmly supported the establishment of a global partnership which addressed

all human rights and recognized that the universal enjoyment of human rights was hindered by the crushing debt burden and by structural adjustment programmes.

65. The CARICOM States and Suriname endorsed the view that the protection of human rights was the legitimate concern of the international community. They were, however, opposed to the selective application of human rights standards. Efforts to protect human rights should be pursued fairly and impartially, free of any political agenda.

66. The CARICOM States and Suriname felt that oppressed people everywhere were greatly indebted to the United Nations for putting in place a broad legal framework for promoting and protecting all human rights. The World Conference on Human Rights had been a truly significant landmark in the campaign to secure the universal enjoyment of fundamental freedoms; the 1995 World Summit in Copenhagen and the Fourth World Conference on Women, to be held in Beijing, would further contribute towards the goals enshrined in the Charter and the International Bill of Human Rights. The CARICOM States and Suriname would fully participate in those activities.

67. Mr. ELDEEB (Egypt), on behalf of his delegation, reaffirmed the principle of the universality and indivisibility of human rights and declared that respect for collective rights, foremost among which were the right to self-determination and the right to development, was indissolubly linked to respect for the rights of the individual. Indeed, political freedoms could be lasting in character only if they were based on respect for economic, social and cultural rights, since poverty was not conducive to the promotion of democracy. Moreover, just as States and Governments must commit themselves before the international community to respect human rights, the international community, for its part, must do everything in its power to improve the climate of international cooperation and to create appropriate conditions for satisfying the essential needs of human beings. The right to development must be translated into tangible achievements.

68. Far from indicating a simple preference for a particular form of government, the democratic changes which had taken place in recent years during the post-cold-war period reflected a global vision of society in its political, economic and cultural aspects.

69. Egypt had embarked on the path of democracy as part of a process of political transformation which had begun 25 years previously. It had always abided by the principles of respect for law and legality enshrined in its Constitution. The elections to the People's Assembly and to the Shura (Consultative Council) which were held periodically took place in a manner fully consistent with that prescribed by the law and in a climate of social peace. The Egyptian delegation was aware of the important role of the United Nations Centre for Human Rights, which provided advisory services and technical and electoral assistance to requesting States. It wished, nevertheless, to stress the need to respect the principles of national sovereignty and non-interference in the internal affairs of States, to recognize the diversity of political systems and to take into consideration the particular characteristics of each

country. In that regard, it was of the view that elections should be held in accordance with the legislation of each State and that the right of peoples to choose their own political, economic, social and cultural systems should be respected.

70. While the human rights situation had improved in various parts of the world, it had grown much worse in the former Yugoslavia, particularly in Bosnia and Herzegovina, where the policy of ethnic cleansing, accompanied by inhuman practices of unprecedented violence, had led to the exodus of entire populations and caused countless victims.

71. Those egregious violations of human rights and of international humanitarian law had severely damaged the credibility of the United Nations system in so far as it concerned the protection of human rights. It was therefore essential for the United Nations to react firmly and to put an immediate end to such violations. Failure to do so would make it vulnerable to the charge that it practised a double standard.

72. The Egyptian delegation had studied the report of the Special Rapporteur on the situation of human rights in South Africa and welcomed the new political climate existing in that fraternal country since the elections of the previous April. Those elections had sounded the knell of the apartheid regime and given the South African Government the means to ensure respect for the rights of all citizens.

73. Egypt hoped that the construction efforts undertaken by the Palestinian Interim Self-Government Authority in the Gaza Strip and Jericho Area would continue and that the scheduled elections would permit the Palestinian people at last to exercise their fundamental rights, both at the political and at the economic and social levels.

74. The Egyptian delegation commended the United Nations High Commissioner for Human Rights on his report (A/49/36). It considered, however, that the High Commissioner's report had failed to attach to the situation that prevailed in the former Yugoslavia, particularly in Bosnia and Herzegovina, the importance which it deserved, given the very grave nature of the events which had occurred in that region. It would have been preferable for the High Commissioner to make proposals concerning the means which the United Nations might employ to put an end to the very serious violations of human rights and of humanitarian law committed in that part of the world.

75. With regard to the attributions of the Centre for Human Rights, the Egyptian delegation noted that the Programme of Action adopted at Vienna by the World Conference on Human Rights did not contain any specific recommendations concerning the review and coordination of the mandates of human rights treaty bodies. The open-ended working group which the Third Committee had requested to consider that matter should formulate recommendations thereon. It would thus be premature to take a decision on the restructuring of the Centre for Human Rights before the General Assembly adopted a resolution on the matter.

76. Mr. TIN (Myanmar) said that his country welcomed the appointment of the High Commissioner for Human Rights. Indeed, enhancement of international cooperation in that field was essential for the full achievement of the purposes of the United Nations. On the question of human rights, the delegation of Myanmar wished, however, to underscore the need to apply the same yardstick to all countries. The debate on human rights issues must never be used to promote sectarian interests.

77. In discussing the human rights situation in Myanmar, more often than not there was a tendency to turn a blind eye to the progress and changes taking place there. Nevertheless, those changes could be seen throughout a country undergoing transformation, where a market economy had replaced the centrally planned economy of the past and which had laid the foundations for a multi-party democratic system.

78. Impressive successes had been scored by the Government of Myanmar in its efforts at national reconciliation. Firstly, 13 armed groups had returned to the legal fold and were now actively engaged in the drafting of a new democratic constitution. For the first time since independence in 1948, the guns had fallen silent and the 135 national races that made up the country were determined to live in harmony and to struggle against poverty. The restoration of peace and stability would be conducive to sustainable development. He recalled, in that regard, that development was a right. Secondly, in its desire to promote national reconciliation, the Government of Myanmar had initiated a dialogue with Daw Aung San Suu Kyi and had authorized her to meet with members of her family, with whom she corresponded freely. The Government had also initiated a dialogue with the United Nations and the Associate Administrator of the United Nations Development Programme, Mr. Rafeeuddin Ahmed, had recently visited Myanmar at the invitation of the Government. Under the terms of a Memorandum of Understanding signed on 5 November 1993 between Myanmar and the Office of the United Nations High Commissioner for Refugees, that Office maintained a presence in the border area between Myanmar and Bangladesh, where its mission consisted in facilitating the return to Myanmar of over 100,000 refugees. What could have been an explosive situation had been resolved in a spirit of good neighbourliness and in a manner which could serve as a model for other countries.

79. Finally, the cooperation which had developed between the Government of Myanmar and the United Nations had made possible the visit to Myanmar, from 7 to 16 November, of the Special Rapporteur, Mr. Yozo Yokota. The Special Rapporteur had acknowledged in his introductory statement to the Third Committee on 23 November 1994 that he had been able to travel freely in various regions of the country. It was a matter of regret, however, that the Special Rapporteur had provided not a shred of evidence to substantiate the claims of human rights abuses which he alleged in his report. Moreover, the fact that the preliminary report on the situation in Myanmar had been issued in two separate documents was also irregular. The observations of the Government of Myanmar on the allegations contained in the report of the Special Rapporteur had been relegated to an addendum to document A/49/594. He requested the Secretariat to rectify

the situation by reissuing the preliminary report of Mr. Yokota together with the rebuttal by the Government of Myanmar in a single document.

80. Mr. Biggar (Ireland), Vice-Chairman, took the Chair.

81. Mrs. CASTRO de BARISH (Costa Rica) welcomed the consensus that had emerged at Vienna, which had allowed the General Assembly to adopt resolution 48/141 whereby it had decided to create the post of the United Nations High Commissioner for Human Rights. Her delegation considered that the moral and political authority of the High Commissioner should be constantly reinforced. It appreciated the commitment which he had already demonstrated by intervening on an emergency basis in Rwanda and by taking preventive action in Burundi. Costa Rica was convinced that the fullest possible utilization of the existing machinery for the protection of human rights, which was now better coordinated thanks to the actions of the High Commissioner - together with the political will of States, played a crucial role in achieving the goals set out in the Charter of the United Nations. In view of the persistence in the world of flagrant mass violations of human rights, the extremely valuable role of the special rapporteurs was to be commended.

82. Costa Rica also attached great importance to the creation by States of institutions to ensure the protection of and respect for human rights. Costa Rica, whose capital San José was the headquarters of the Inter-American Court of Human Rights, had itself created the post of defender of the people, or ombudsman, to which was attached a defender of the rights of the child.

83. Cost Rica regarded human rights as inalienable. The inability to ensure the enjoyment of certain rights was not a valid reason for denying the exercise of other rights. She recalled that, since its accession to independence in 1821, her country had had a democratic system based on respect for freedom and the pursuit of peace and harmony. In Costa Rica, education had been free and obligatory since 1862, and the abolition of the army in 1949 had enabled the country to undertake health and housing programmes, in other words, to realize the right to development.

84. That positive experience was not limited to Costa Rica. In Central America, countries which had experienced right-wing dictatorships or totalitarian regimes were now States governed by the rule of law which knew that without sustainable development and democracy there would never be peace. That was why Costa Rica attached great importance to the deliberations of the Working Group on the Right to Development, established by resolution 1993/22 of the Commission on Human Rights, and awaited with great interest the results of the Group's work.

85. In accordance with the Vienna Declaration and Programme of Action, which reaffirmed the universality and interdependence of all human rights, her delegation considered that States which had accepted the judicial instruments relating to the protection and promotion of human rights had a responsibility to protect all those rights, whatever their political, economic or cultural system might be.

86. Costa Rica had acceded to the Second Optional Protocol to the International Covenant on Civil and Political Rights. It therefore supported Italy's proposal that capital punishment should be abolished.

87. Finally, her delegation, which, together with the Namibian delegation, had initiated the idea of proclaiming a United Nations Decade for Human Rights Education, announced that it intended to submit a draft resolution requesting the General Assembly to proclaim the Decade beginning on 1 January 1995. She invited any delegations which wished to do so to join as sponsors of the text, which she hoped would be adopted without a vote.

88. Mrs. SHARFMAN (Israel) said she was pleased to note that a growing number of States recognized the interrelationship between democracy, development and respect for human rights and fundamental freedoms. That was a reality of which Israel had always been aware, and which constituted the foundation of its legislative, executive and judicial system. In Israel, not only Israeli citizens, but also the Palestinians in the territories, had the right to appeal to the Supreme Court when they considered that their individual rights had been infringed. That democratic tradition had deep roots, going back as far as the first Zionist Congress in 1897, which had marked the birth of the liberation movement of the Jewish people. The institution of the kibbutz, a communal farm built on the democratic values of equal rights and equal responsibilities, was a model of democratic pluralism. For Israel, which had to absorb waves of immigrants from the villages of Ethiopia, on the one hand, and from the cities of the former Soviet Union, on the other, democracy and pluralism were national imperatives.

89. Israel believed that democracy had accelerated and strengthened its development by encouraging citizens to identify with the State and to join the effort to build a better future. Citizens who had a sense of belonging and ownership were more likely to work for the public good. Moreover, the openness of democratic society also served as a check on waste, and permitted more efficient use of limited resources.

90. Israel's commitment to democracy had not wavered, even in the face of the wars, the bloodshed and the threats which continued to threaten its security, and even its very existence. In the face of violence, Israel had made it a duty not to renounce its human and Jewish values. That determination was reflected in the fact that capital punishment was forbidden in Israel, except in the case of Nazi war criminals convicted of crimes against humanity.

91. Democratization was a long process which did not necessarily bring immediate solutions to all problems. Patience and a willingness to compromise played an essential role. Israel actively encouraged democratization in various parts of the world, for example by sending observers to monitor the elections in South Africa and Mozambique or by organizing an international course on democratic administration. In addition, Israel had responded favourably to Nicaragua's request that it should become a sponsor of a resolution calling for the inclusion of an additional item in the agenda of the General Assembly

concerning support by the United Nations system for the efforts of Governments to promote or consolidate new or restored democracies.

92. Israel hoped that when peace returned to the Middle East, it would bring with it not only economic cooperation and political understanding, but also democracy for all. It would not wish to continue being the only democracy in the region for ever. Israel was convinced that democratization, pluralism and respect for fundamental human rights and the rights of women could only lead to greater stability in the Middle East and to a better future for all the peoples of the region.

93. Mr. MOTSYK (Ukraine) said that his country attached great importance to the effectiveness of action to protect human rights and, accordingly, to the coordination of efforts made in that sphere by the United Nations. That was precisely the role of the High Commissioner for Human Rights. It was also the reason why it was imperative to strengthen the existing machinery for the protection of human rights, in particular the Centre for Human Rights, which should be provided with adequate resources. Special rapporteurs and the human rights treaty bodies should participate actively in the process of identifying positive ways of implementing the Vienna Declaration and Programme of Action. The question of coordination and the search for new ways of making the protection of human rights and fundamental freedoms more effective were matters which should be of particular concern to the Chairmen of the bodies established under the human rights instruments at their annual meetings. In that connection, his delegation was convinced that the United Nations had not yet exhausted all the possibilities available.

94. The new and terrifying violations of international humanitarian law in the territory of the former Yugoslavia, involving the use of illegal weapons such as napalm and cluster bombs in the Bihać pocket of Bosnia and Herzegovina, underscored the need to strengthen the role of preventive diplomacy.

95. Another key aspect of conflict-prevention was ensuring respect for the rights of national minorities. The refusal to recognize the legitimate rights and identity of those minorities created potentially explosive situations. The attempts by some countries to use ethnic groups dispersed in neighbouring countries to destabilize those countries for the purpose of territorial expansion were equally dangerous.

96. In Ukraine, where a quarter of the population consisted of representatives of different nationalities, the question of inter-ethnic relations had always been at the centre of the Government's attention. The Declaration on the Rights of Nationalities, the Law on Languages and the Law on National Minorities provided legal protection to the various nationalities.

97. Ukraine welcomed the adoption of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities and hoped that it would be followed by the development, within the framework of the United Nations, of a legally binding document on the subject, most probably in the form of an international convention.

98. His country, which was a party to the basic international human rights instruments, including the International Covenant on Civil and Political Rights and its First Optional Protocol, recognized that there was still much to be done in order to bring its national legislation into conformity with international standards. Ukraine underscored the need to apply the criteria of universality, objectivity and non-selectivity in dealing with human rights issues and considered that respect for those criteria should be strengthened.

99. Lastly, his delegation appealed to the States that had not yet done so to accede to the international instruments in the field of human rights and called on those that had expressed reservations concerning those instruments to revise them. Ukraine urged all States to incorporate into their domestic legislation the standards set forth in those instruments and to strengthen institutions engaged in the promotion and protection of human rights.

100. Mr. MATEŠIĆ (Croatia) said that his country had strongly supported the establishment of the post of High Commissioner for Human Rights and commended the efforts made by the High Commissioner to date, particularly in Rwanda and Burundi. Nevertheless, his delegation hoped that the High Commissioner would become more involved in addressing the massive violations of humanitarian law and human rights in the region of the former Yugoslavia. His Government believed that the lack of resolve on the part of the international community with regard to the aggression and genocide in Croatia and Bosnia and Herzegovina had encouraged the development of a similar situation in Rwanda. He feared that further inaction by the international community would lead to ever-increasing violations of international humanitarian law as well as disregard for the principles espoused by the world community. Likewise, the unwillingness of the Belgrade authorities to cooperate with the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 was cause for concern. The lack of political will and the insufficient resources at the disposal of the Tribunal gave rise to the fear that the individuals who had planned and executed the policy of genocide would not be brought to justice. If that occurred, the credibility of the Security Council would be seriously jeopardized and the Tribunal would set a negative precedent for future attempts to punish war criminals. The manner in which the international community addressed those violations, the extent and gravity of which challenged the most basic human rights principles, would be decisive for the future. It would determine whether future relations among States would be guided by respect for human rights or governed by force.

101. In considering the human rights situation in the region of the former Yugoslavia, it should be understood that the violations of those rights were the result of the political programme of the Belgrade authorities, who were pursuing their objective of territorial expansion or "Greater Serbia" through "ethnic cleansing".

102. His country remained greatly concerned by the systematic violation of the human rights of the Croats and members of other nationalities in the territory of Croatia occupied by the Serbs and in the province of Vojvodina.

Mr. Mazowiecki had described in his report (A/49/641) the regime of terror to which the Croat population was being subjected by Serb nationalist groups determined to drive them from those regions. Although the Belgrade authorities refused to respect the rights of the Croat minority, the Croatian Government respected the rights of the Serb minority in Croatia. Belgrade's attitude with regard to the members of other nationalities in Serbia and Montenegro was also cause for great concern. The Albanians in Kosovo continued to be the victims of a policy of systematic repression. Similarly, the mistreatment of the Slavic Muslim population in the Sandžak region by the Serbian and Montenegrin authorities also continued unabated. In addition, the Hungarians, Slovaks, Ukrainians and members of other nationalities continued to suffer violations of human and national rights.

103. The formation of the Federation of Bosnia and Herzegovina had given rise to the hope that the war in the region was finally on the way to being halted and that the gross violations of humanitarian law would soon cease. Unfortunately, the situation in Banja Luka, Bijelina and other regions of Bosnia where the local Serb authorities had recently intensified the policy of "ethnic cleansing" against Muslims, Bosnian Croats and others as well as the recent events in Bihać were extremely negative developments in the region.

104. He drew attention to the situation of the Bosnian Croats, whose suffering was often ignored, although they had lived in the territory of Bosnia and Herzegovina for thirteen centuries. That population was in danger of being annihilated. Some 50 per cent of the Bosnian Croats, who had been the first victims of "ethnic cleansing" in Bosnia and Herzegovina, were either internally displaced persons or refugees. Atrocities had been committed by the Serb and Montenegrin forces against the Bosnian Croat population in eastern Herzegovina, particularly in the town of Ravno. The Catholic dioceses had suffered tremendous losses, churches had been destroyed or heavily damaged and Catholics had been driven out.

105. The Republic of Croatia remained committed to the path of democracy and respect for human rights and, in spite of the difficult transition from a Communist society to a democratic one, had made tremendous progress. While economically more advanced States had refused to receive even several hundred refugees, Croatia had granted asylum to hundreds of thousands of persons, including Muslims, even when fighting had been taking place between Muslims and Bosnian Croats. Providing for those refugees represented a particularly heavy burden for his country since 37 per cent of its industry had been destroyed by Serbian forces.

106. The Croatian people had been extremely pleased by the visit of Pope John Paul II and had appreciated his message of tolerance and respect for human rights. In that regard, while it accepted constructive criticism and intended to continue to cooperate with the international community, Croatia's efforts in that area should be respected and should not be misinterpreted to focus solely on certain negative developments. Croatia would greatly benefit from assistance from the international community, particularly in order to facilitate the return of refugees and displaced persons to their homes and

punish those responsible for "ethnic cleansing". It was difficult to ask citizens of a country to respect human rights if States or Governments which violated those rights were not only allowed to do so but were even rewarded by the international community.

The meeting rose at 6.10 p.m.